IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9014 OF 2003

1. Smt Vaijayanta narhar Magar,

and anr. .. Petitioners

Vs

1. Shri Sukhdev Sopan Gaikwad

and ors. .. Respondents

Mr Milind Deshmukh, for the petitioners.

Mr K.B.Sonwalkar, for respondent nos1,6 and 12.

CORAM : D.B.BHOSALE,J.

DATE : 23rd September, 2004.

PC:

1. Heard the learned counsel for the parties.

2. By the impugned order dated 2.7.2003, the Court has allowed the application filed by respondent no.1 seeking to produce a certified copy of the registered sale deed dated 24.4.1930. The Court seems to have exercised the powers vested under Order 41, Rule 27 (aa),(b) of the Code of Civil Procedure and allowed the production of the said document finding it necessary to finally adjudicate the issue involved in the matter. No case warranting interference in the impugned order is made out by the petitioner. The petition, therefore, fails and is dismissed as such.

3. Needless to say that the production of the document will be subject to the rights of the petitioner, if any, that may be available under the provisions of CPC.

(D.B.BHOSALE, J.)